

King-Chavez Academy of Excellence, Inc.
Howard Chan
415 31st Street
San Diego, CA 92102
619-232-2825
hchan@kingchavez.org

Received & Inspected
OCT 24 2012
FCC Mail Room

Title: USAC Window Waiver Request
Funding Year 2012 Form 471 Postmarked Outside of Window Letter
CC Docket No. 02-6
Form 471 Application Number: 877387
October 15, 2012
Billed Entity Number: 16062687
SPIN Number: 143000014
Form 470 Application Number: 799230000899596
FRN(s): 2215295, 2215372, 2215410, 2215536, 2215569, 2215605

To Whom It May Concern:

Please accept my request for a filing window waiver for our ERate discount application, form 471.

At a time when our schools are already suffering from several years of reduced funding, and as we serve some of the most underserved students in San Diego's urban core, losing ERate discount will further disadvantage our students and curtail the gains they have made in closing the achievement gap.

In January 31, 2011 we posted our Form 470 for telecommunications and Internet access. We then subsequently awarded a three year contract to Cox California Telecom, LLC (SPIN 143000014) on March 23, 2011. The contracts were then approved and we received discounts for the 2011-2012 funding year. At the time, it was my understanding of the Form 470 and Form 471 filed during 2011-2012 covered ERate for three years and that I didn't need to file again for 2012-2013 and 2013-2014 funding year.

It was only when I received a bill from my service provider in July 2012 that I realized there was something wrong with my ERate for this month as we normally get 90% discount off this bill. This was my first effort at writing ERate and failed to connect that Form 471 needs to be filed every year for the duration of the Form 470 application as our telecom contracts are for three years. Due to my error, I have put my organization at risk financially for not covering 2012-2013 ERate funding by missing the due date for filing Form 471.

I recognize I need to file a Form 471 every year to receive funding. I have attached my paperwork for Form 471 along with my Form 471 (Postmarked outside of window) information letter sent by USAC. We believe it is not in the best public interest to further disadvantage our students as the loss of these discounts will result in funding cuts to the classroom.

Thank you for your consideration.

Regards,



Howard Chan
Director of Technology
King-Chavez Academy of Excellence, Inc.
hchan@kingchavez.org

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Schools and Libraries Division

**FUNDING YEAR 2012 FORM 471
POSTMARKED OUTSIDE OF WINDOW**

October 2, 2012

HOWARD CHAN
KING CHAVEZ ACADEMY OF EXCELLENCE INC.
415 31ST. STREET
SAN DIEGO, CA 92102

**Re: Applicant's Form Identifier: KCNS1213
Form 471 Application Number: 877387**

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application and/or certification was submitted online or postmarked AFTER the deadline for an application to be considered as filed within the window.

Program rules require us to hold your application pending final review of those applications that were filed within the window. We will post an announcement on the USAC website at www.usac.org/sl once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future funding years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or service provider name,
 - BEN,
 - Application number 877387 as assigned by USAC,
 - "Funding Year 2012 Form 471 Postmarked Outside of Window Letter,"AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email to appeals@sl.universalservice.org. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973)599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

You have the option of filing an appeal with USAC or with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

**Schools and Libraries Division
Universal Service Administrative Company**

OCT 24 2012

FCC Mail Room



Universal Service Administrative Company

Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2012-2013

October 03, 2012

Howard Chan
King Chavez Academy Of Excellence Inc.
415 31st. Street
San Diego, CA 92102

Re: Applicant Name: KING CHAVEZ ACADEMY OF
EXCELLENCE INC.
Billed Entity Number: 16062687
Form 471 Application Number: 877167
Funding Request Number(s): 1 Unassigned
Your Correspondence Dated: July 11, 2012

The Universal Service Administrative Company (USAC) received your request for a waiver of the Application Filing Deadline for Funding Year 2012 of the Schools and Libraries Universal Service Support Mechanism.

Federal Communications Commission (FCC) rules do not permit USAC to consider requests for waivers. If you believe there is a basis for further examination of your request, you may file a waiver request with the FCC. You should refer to CC Docket No. 02-6 on the first page of your waiver request to the FCC. If you are submitting your waiver request via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing a waiver request with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company